

# Notice of Allowability

Application No.

09/905,604

Examiner

Natalia Figueroa

Applicant(s)

MOLINE ET AL.

Art Unit

2651

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to reply and petition for revival.
2. ☒ The allowed claim(s) is/are 1-3,9-22,25-26, and 35-39.
3. ☒ The drawings filed on 13 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## REASONS FOR ALLOWANCE

### *Allowable Subject Matter*

1. Claims 1-3, 9-22, 25-26 and 35-39 are allowed.
2. The following is an examiner's statement of reasons for allowance:

RE claim 1, the prior art of record, and in particular Billings et al (USPN 6,249,393), fails to teach or suggest a method for comprising measuring an amplitude associated with each of said plurality of AGC fields, said amplitudes corresponding to flying heights of a transducer head over the disk surface at locations corresponding to said plurality of AGC fields; storing values corresponding with said measured amplitudes onto said disk surface; prior to writing data to a data sector in said track, measuring an amplitude associated with the AGC field that corresponds with said data sector and comparing said measured amplitude to a stored value corresponding to the AGC field; and generating a signal indicating a high flying condition if said comparison is unfavorable.

RE claim 15, the prior art of record, and in particular Billings et al (USPN 6,249,393), fails to teach or suggest a method comprising determining standard transducer head flying height numbers, wherein said standard transducer head flying height numbers are based on measured amplitudes associated with each of said plurality of AGC fields; storing said standard transducer head flying height numbers on said disk surface; prior to writing data to a data sector in said track, determining an amplitude associated with the AGC field associated with said data sector to obtain an observed transducer head flying height number; comparing said selected standard transducer head flying height number associated with said AGC field to said observed transducer

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head flying height number; and signaling a high fly write condition if said comparison indicates a high fly write event.

RE claim 38, the prior art of record, and in particular Billings et al (USPN 6,249,393), fails to teach or suggest a method comprising measuring an amplitude associated with each of said plurality of groups of servo bursts, said amplitudes corresponding to flying heights of a transducer head over the disk surface at locations corresponding to said plurality of groups of servo bursts; storing values corresponding with said measured amplitudes onto said disk surface; and prior to writing data to a data sector in said track, measuring an amplitude associated with the group of servo bursts that correspond with said data sector and comparing said measured amplitude to a stored value corresponding to the group of servo bursts.

RE claim 39, the prior art of record, and in particular Billings et al (USPN 6,249,393), fails to teach or suggest a method comprising measuring an amplitude associated with each of said plurality of ERC fields, said amplitudes corresponding to flying heights of a transducer head over the disk surface at locations corresponding to said plurality of ERC fields; storing values corresponding with said measured amplitudes onto said disk surface; and prior to writing data to a data sector in said track, measuring an amplitude associated with the ERC field that corresponds with said data sector and comparing said measured amplitude to a stored value corresponding to the ERC field.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following documents are cited to further show the state of the art with respect to fly height.

a) Carlson et al (USPN 6,459,539): Discloses a method of detecting fly height of a head.

b) Carlson et al (USPN 6,268,976): Discloses a method of detecting fly height of a head.


c) Billings et al (USPN 6,411,458): Discloses monitoring the fly height of a transducer.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalia Figueroa whose telephone number is (571) 272-7554. The examiner can normally be reached on Monday - Thursday 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600